

Fill in this information to identify your case:

United States Bankruptcy Court for the:

DISTRICT OF MASSACHUSETTS

Case number (if known) Chapter 11

☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

06/22

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name	ACT Hospitality, Inc.	
2. All other names debtor used in the last 8 years Include any assumed names, trade names and doing business as names	DBA Box Seats	
3. Debtor's federal Employer Identification Number (EIN)	88-2293950	
4. Debtor's address	Principal place of business 391 East Central Street, Unit 5 Franklin, MA 02038 Number, Street, City, State & ZIP Code Norfolk County	Mailing address, if different from principal place of business P.O. Box, Number, Street, City, State & ZIP Code Location of principal assets, if different from principal place of business Number, Street, City, State & ZIP Code
5. Debtor's website (URL)	www.boxseatsfk.com	
6. Type of debtor	<input checked="" type="checkbox"/> Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP)) <input type="checkbox"/> Partnership (excluding LLP) <input type="checkbox"/> Other. Specify:	

Debtor **ACT Hospitality, Inc.**
Name

Case number (if known)

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. Check all that apply

- ☐ Tax-exempt entity (as described in 26 U.S.C. §501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. §80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. §80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

7225

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. Check **all** that apply:

- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☒ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, **and it chooses to proceed under Subchapter V of Chapter 11**. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

- ☒ No.
- ☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

Debtor **ACT Hospitality, Inc.** Case number (if known)

Name

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

☒ No
☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor	Relationship
District	Case number, if known
	When

11. Why is the case filed in this district?

Check all that apply:

☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.

☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No
☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
What is the hazard?

☐ It needs to be physically secured or protected from the weather.

☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

☐ Other

Where is the property?
Number, Street, City, State & ZIP Code

Is the property insured?

☐ No

☐ Yes. Insurance agency
Contact name
Phone

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

☒ Funds will be available for distribution to unsecured creditors.

☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

<input checked="" type="checkbox"/> 1-49	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 25,001-50,000
<input type="checkbox"/> 50-99	<input type="checkbox"/> 5001-10,000	<input type="checkbox"/> 50,001-100,000
<input type="checkbox"/> 100-199	<input type="checkbox"/> 10,001-25,000	<input type="checkbox"/> More than 100,000
<input type="checkbox"/> 200-999		

15. Estimated Assets

<input type="checkbox"/> \$0 - \$50,000	<input type="checkbox"/> \$1,000,001 - \$10 million	<input type="checkbox"/> \$500,000,001 - \$1 billion
<input type="checkbox"/> \$50,001 - \$100,000	<input type="checkbox"/> \$10,000,001 - \$50 million	<input type="checkbox"/> \$1,000,000,001 - \$10 billion
<input checked="" type="checkbox"/> \$100,001 - \$500,000	<input type="checkbox"/> \$50,000,001 - \$100 million	<input type="checkbox"/> \$10,000,000,001 - \$50 billion
<input type="checkbox"/> \$500,001 - \$1 million	<input type="checkbox"/> \$100,000,001 - \$500 million	<input type="checkbox"/> More than \$50 billion

16. Estimated liabilities

<input type="checkbox"/> \$0 - \$50,000	<input checked="" type="checkbox"/> \$1,000,001 - \$10 million	<input type="checkbox"/> \$500,000,001 - \$1 billion
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Debtor	ACT Hospitality, Inc.	Case number (if known)
Name		
<input type="checkbox"/> \$50,001 - \$100,000	<input type="checkbox"/> \$10,000,001 - \$50 million	<input type="checkbox"/> \$1,000,000,001 - \$10 billion
<input type="checkbox"/> \$100,001 - \$500,000	<input type="checkbox"/> \$50,000,001 - \$100 million	<input type="checkbox"/> \$10,000,000,001 - \$50 billion
<input type="checkbox"/> \$500,001 - \$1 million	<input type="checkbox"/> \$100,000,001 - \$500 million	<input type="checkbox"/> More than \$50 billion

Debtor ACT Hospitality, Inc.
Name

Case number (if known)

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on

6/10/24
MM / DD / YYYY

X

A. Charles Tgibedes

Signature of authorized representative of debtor

A. Charles Tgibedes

Printed name

Title President

18. Signature of attorney

X

Kate E. Nicholson
Signature of attorney for debtor

Date

6.10.2024
MM / DD / YYYY

Kate E. Nicholson 674842

Printed name

Nicholson Devine LLC

Firm name

21 Bishop Allen Dr.
Cambridge, MA 02139

Number, Street, City, State & ZIP Code

Contact phone 857.600.0508

Email address kate@nicholsondevine.com

674842 MA

Bar number and State

Fill in this information to identify the case:

Debtor name **ACT Hospitality, Inc.**
 United States Bankruptcy Court for the: **DISTRICT OF MASSACHUSETTS**
 Case number (if known): _____

☐ Check if this is an amended filing

Official Form 204

Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Bank of America P.O. Box 15796 Wilmington, DE 19886						\$19,725.49
Bonollo Provisions 55 Clarkson Street Providence, RI 02908						\$10,312.16
Charles Tgibedes 21 East St C202 North Attleboro, MA 02760						\$27,723.56
CT & JJ, Inc 500 East Washington St Unit 13 North Attleboro, MA 02760						\$698,537.19
Delta Bridge Funding 2875 NE 191st Street Miami, FL 33180				\$27,232.60	\$0.00	\$27,232.60
DirectTV PO Box 5006 Carol Stream, IL 60197						\$7,153.89
Epic Advance 311 Boulevard of the Americas Lakewood, NJ 08701				\$19,031.57	\$0.00	\$19,031.57
Eversource PO Box 55215 Boston, MA 02205						\$5,168.50
Howard D. Karp CPA 72A Taunton St Suite 203 Plainville, MA 02762						\$5,000.00

Debtor **ACT Hospitality, Inc.**
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
M.S. Walker 975 University Ave Norwood, MA 02062						\$5,282.64
Massachusetts Dept. of Revenue Bankruptcy Unit PO Box 7090 Boston, MA 02204-7090						\$69,349.06
MNY Capital 244 Madison Ave, Suite 1035 New York, NY 10016				\$16,480.00	\$0.00	\$16,480.00
National Grid PO Box 371396 Pittsburgh, PA 15250						\$9,379.71
Pepsi Beverages Company PO Box 75948 Chicago, IL 60675						\$6,170.19
Restaurant Technologies Inc 12962 Collections Center Drive Chicago, IL 60693						\$3,748.69
Town of Franklin 355 East Central St Franklin, MA 02038						\$8,388.87
Trimark PO Box 845377 Boston, MA 02284						\$10,619.93
United First 27-01 Queens Plaza N Long Island City, NY 11101				\$19,271.73	\$0.00	\$19,271.73
Upgrade Inc 275 Battery Street 22nd Floor San Francisco, CA 94111						\$18,400.00
Wise Guys Trivia 88 Cross St Boston, MA 02284						\$6,850.00

**United States Bankruptcy Court
District of Massachusetts**

In re	<u>ACT Hospitality, Inc.</u>	Case No.	
	Debtor(s)	Chapter	<u>11</u>

VERIFICATION OF CREDITOR MATRIX

I, the President of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date:	<u>June 11, 2024</u>	<u>/s/ A. Charles Tgibedes</u>
		<u>A. Charles Tgibedes/President</u>
		Signer/Title

AAA Restaurant Fire Control
PO Box 101
Saunderstown, RI 02874

All About Service
PO Box 46
Walpole, MA 02081

Ariel Bouskila, Esq.
Berkovitch & Bouskila, PLLC
1545 U.S. 202, Ste. 101
Pomona, NY 10970

Atlas Distributing Inc
44 Southbridge St
Auburn, MA 01501

Baker Commodities Inc
PO Box 132
North Billerica, MA 01862

Bank of America
P.O. Box 15796
Wilmington, DE 19886

Bonollo Provisions
55 Clarkson Street
Providence, RI 02908

Charles Tgibedes
21 East St C202
North Attleboro, MA 02760

Comcast
PO Box 70219
Philadelphia, PA 19176

Cozzini Bros
8430 W Bryn Mawr Ave, Ste 800
Chicago, IL 60631

CT & JJ, Inc
500 East Washington St
Unit 13
North Attleboro, MA 02760

David Fogel, Esq.
1225 Franklin Ave., Ste. 201
Garden City, NY 11530

Delta Bridge Funding
2875 NE 191st Street
Miami, FL 33180

DirectTV
PO Box 5006
Carol Stream, IL 60197

Epic Advance
311 Boulevard of the Americas
Lakewood, NJ 08701

Eversource
PO Box 55215
Boston, MA 02205

Falvey Linen Supply
50 Burnham Avenue
Cranston, RI 02910

Horizon Beverage Group
PO Box 1165
Norton, MA 02766

Howard D. Karp CPA
72A Taunton St Suite 203
Plainville, MA 02762

Interstate Food Equipment Service
43 Sharon St
Malden, MA 02148

La Marca & Sons
32 Riverside Park
Malden, MA 02148

Lavellee Electric
248 Beach Street
Wrentham, MA 02093

Lawrence Waste Services
49 Alder St
Medway, MA 02053

M.S. Walker
975 University Ave
Norwood, MA 02062

Martignetti Corp
500 John Hancock Road
Taunton, MA 02780

Massachusetts Dept. of Revenue
Bankruptcy Unit
PO Box 7090
Boston, MA 02204-7090

MNY Capital
244 Madison Ave, Suite 1035
New York, NY 10016

Nasiff Fruit Company
PO Box 1772
Fall River, MA 02722

National Grid
PO Box 371396
Pittsburgh, PA 15250

Pepsi Beverages Company
PO Box 75948
Chicago, IL 60675

Performance Foodservice
225 John Hancock Road
Taunton, MA 02780

Progression Brewing Co
9 Pearl St
Northampton, MA 01060

Quality Beverage
525 Myles Standish Blvd
Taunton, MA 02780

Restaurant Technologies Inc
12962 Collections Center Drive
Chicago, IL 60693

Snyder Refrigeration
PO Box 2568
Attleboro Falls, MA 02763

Start Line Brewing Company
151R Hayden Rowe St
Hopkinton, MA 01748

State Line Equipment
618 Rathbun St
Blackstone, MA 01504

Town of Franklin
355 East Central St
Franklin, MA 02038

Trimark
PO Box 845377
Boston, MA 02284

United First
27-01 Queens Plaza N
Long Island City, NY 11101

Upgrade Inc
275 Battery Street
22nd Floor
San Francisco, CA 94111

Wise Guys Trivia
88 Cross St
Boston, MA 02284

**United States Bankruptcy Court
District of Massachusetts**

In re **ACT Hospitality, Inc.**

Debtor(s)

Case No.
Chapter

11

CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for **ACT Hospitality, Inc.** in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation's(s') equity interests, or states that there are no entities to report under FRBP 7007.1:

Charles Tgibedes
21 East St C202
North Attleboro, MA 02760

☐ None [*Check if applicable*]

June 11, 2024

Date

/s/ Kate E. Nicholson

Kate E. Nicholson 674842

Signature of Attorney or Litigant
Counsel for **ACT Hospitality, Inc.**
Nicholson Devine LLC
21 Bishop Allen Dr.
Cambridge, MA 02139
857.600.0508 Fax:617.812.0405
kate@nicholsondevine.com